

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1405 - SB 1264

March 10, 2023

SUMMARY OF BILL: Grants the local board of education of a local education agency (LEA) and the governing body of a public charter school the sole authority to select mascots for their respective schools. Prohibits a state agency from interfering with a local board of education's or governing body of a public charter school's authority to select the mascots of their respective schools.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumption:

- *The Tennessee Heritage Protection Act* enacted in 2013 generally prohibits the removal, relocation, or renaming of a memorial that is, or is located on, public property.
- Tennessee Code Annotated § 4-1-412(a)(7)(B) defines "memorial" to include any statue, monument, memorial, bust, nameplate, historical marker, plaque, artwork, flag, historic display, school, street, bridge, or building that has been erected for, named, or dedicated on public property in honor of any historic conflict, historic entity, historic event, historic figure, or historic organization.
- To the extent that a school mascot may fall under the definition of a memorial, it would be under the purview of the *Tennessee Heritage Protection Act* and any proposed change to the mascot would have to be petitioned to the Tennessee Historical Commission.
- LEA's and public charter schools have previously selected mascots to represent their schools. Granting the local board of education of an LEA and the governing body of a public charter school the sole authority to select or change mascots of their schools removes the decision from the Tennessee Historical Commission and does not deviate substantially from current practice. Any fiscal impact is estimated to be not significant.
- It is assumed that LEAs will not engage in any actions that would result in a jeopardy of federal funding.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/ah